

**Regular Month Meeting
Benton City Council
December 21, 2020**

The regular meeting of the Benton City Council was called to order on Monday, December 21, 2020 at 5:00 P.M. by Mayor Rita Dotson with the Pledge of Allegiance and opening prayer by Kevin Farley. This meeting was held via Zoom video conference.

Council Members Present: Butch Holland, Charles Edmonds, Ann Riley, Sherra Riley, Rita Murray and Kevin Farley.

Other Staff Present: Bethany Cooper, City Clerk/Treasurer; Rob Mattingly, City Attorney; Todd Riley, Gas Manager and Stephen Sanderson, Police Chief.

Guests were Areia Hathcock, Marshall County Tribune Courier; Loyd Ford, Lake News and Kim Ham, CPA.

Kim Ham reviewed the audit for period ending June 30, 2020.

City Attorney Mattingly read the second reading of an ordinance that amends Ordinance No. 14-10-01 regarding non-partisan elections. A motion was made by Farley, seconded by Edmonds to approve. All agreed. Motion carried.

Mayor Dotson read over the updated on the Comprehensive Land Use Plan that was provided by KLC.

Kyler Hathcock, Aiden Fulgham and Shain Lynn joined the meeting at 5:30 P.M. These boys are boy scouts working on their Citizenship in the Community merit badge.

City Clerk/Treasurer Cooper discussed the following budget amendments:

- To date, the City has received \$321,350.00 in CARES funding reimbursements and are up to receive an additional \$100,482.00. Cooper proposed to transfer \$31,200.00 of these funds to Benton Water & Sewer to offset the loss of penalties and reconnect fees since March. In doing this, the General Fund will need an amendment to increase Miscellaneous Collection (4510) by \$421,832.00. Also increase Miscellaneous Expense (5199) by \$31,200.00 in order to write a reimbursement check to Benton Water & Sewer. Reserve Contingency will need to be increased by \$390,632.00. A motion was made by Holland, seconded by Farley to approve these amendments. All agreed. Motion carried.
- The ballfield fence on Field 1 is in bad shape. A quote of \$8,700.00 was received from C & C Fence Company to replace the outfield portion of the fence and a portion near the first base dugout. If agreed, this amount will need to come out of Reserve Contingency and increase Ballfield Maintenance account. A motion was made by Edmonds, seconded by S. Riley to approve the quote and amendments to General Fund budget. All agreed. Motion carried.
- C & C Fence Company also provided a quote to add fencing through the middle of Field 6 to change this field to a dog park. To add a 4-foot commercial fence, unleashing areas, and gates to create a dog park will be \$6,725.00. If agreed, a new expense account number will need to be set up in the General Fund and the Reserve Contingency account will need to decrease by that amount. A motion was made by Farley, seconded by S. Riley to proceed with the dog park and amend the budget as necessary. All agreed. Motion carried.

Gas Manager Riley discussed their need to purchase 31,680 feet of gas line to run gas from Benton out Symsonia Highway to JB Copeland Road. He has been checking prices and they increase frequently. The lowest price delivered so far is \$224,294.40. He has to order now in order to start installation in the spring. A motion was made by Murray, seconded by A. Riley to approve the purchase of the gas line. All agreed. Motion carried.

Mayor Dotson discussed a fencing issue at Benton Hardware. Per the City's zoning ordinance, they are required to put up a fence when a commercial development touches a residential home. Scott Jaco plans to comply with the ordinance but the homeowner on the corner of East 12th Street and Birch Street does not want a fence built. City Attorney Mattingly discussed this and advised the Council that if they choose to not allow the fence to be built then the zoning ordinance would have to be amended. Mattingly does not recommend doing this because once this provision is waived, it is always waived. The Council did discuss the possibility of it being a traffic hazard. Mayor Dotson is going to talk with Mr. Jaco and get more information.

City Attorney Mattingly discussed payroll tax collections with mail carriers. Currently FedEx, UPS and most postal workers are not submitting payroll taxes. He doesn't feel there is much we can do about FedEx or UPS but we can proceed with local postal workers. No decision was made on the subject at this time.

January's regular monthly meeting is rescheduled to Tuesday, January 19, 2021 at 5:00 P.M. because of Martin Luther King Jr day.

Mayor asked what the Council decided on the parking issue around the court square. Do they want to enforce the current ordinance or remove the signs? Police Chief Sanderson suggested that since Main Street and Poplar Street parking is tight, to enforce the parking there and allow parking to be opened up on 11th Street and 12th Street where there is more room. Council like this recommendation and would like City Attorney Mattingly to move forward with amending the 2007 parking ordinance to allow parking on 11th and 12th Streets for larger vehicles and enforce parking on Main and Poplar Street.

Chief Sanderson presented the police report for November. There were 895 calls to service, 21 collisions, 55 citations and 19 cases.

A motion was made by S. Riley, seconded by Farley to approve the regular minutes of November 16, 2020. All agreed. Motion carried.

In Mayor/Council items:

Riley was asked by a citizen to request that the State add turn arrows at each block along Main Street and Poplar Street. Although she explained that it is a State roadway, she would mention it.

Farley was contacted about drainage issues at 413 W. 12th Street.

Mayor Dotson thanked everyone for helping make the Dickens Christmas Community Drive-Thru a success.

She also read a letter of appreciation from George and Midge Milam to the Mayor, Council and City employees for all of the infrastructure work throughout the City, especially the bridge entrance replacement at Country Trace.

Mayor Dotson also received a call from WPSD that they received an anonymous complaint that the City is violating open records laws by not announcing the Zoom meetings. WPSD assured Mayor Dotson that they did see that we do announce these meetings on our Facebook page but wanted to let Mayor Dotson know of the complaint.

Mayor Dotson also gave an update on the status of the Symsonia Highway Waterline Replacement project, as well as, an update that the Country Trace bridge entrance is almost complete.

The State is currently placing pedestrian crossing signs around the Court Square and the final coat of blacktop for Main Street and Poplar Street is scheduled in Spring.

City Attorney Mattingly swore in the Council for their new two-year term beginning January 1, 2021.

There being no further business to come before the Council, meeting adjourned at 6:38 P.M.

Rita Dotson, Mayor

ATTEST:

Bethany Cooper, City Clerk/Treas.